

## REMARKS

Reconsideration of the above-referenced application is respectively requested in view of the above amendments and these remarks. Claims 1-20 are currently pending.

Claims 1, 5, 7, 9, 10, 17, 19 and 20 are objected to as including the informality of reference characters DLID without properly defining the characters. Applicant has amended independent claims 1, 11 and 17 such that the first use of the reference characters DLID is defined as a Destination Location Identifier. Claim 16 is objected to because depends on claim 10 and refers to claim 11. Applicant has cancelled claim 10 rendering the objection moot. Applicant therefore requests that the objections be withdrawn.

Claims 1, 4, 5, 7, 9, 10, 14, 17, 19 and 20 are rejected under 35 U.S.C. § 112, second paragraph for containing a trademark, i.e. InfiniBand. Applicant has amended the rejected claims to delete the trademark InfiniBand. In addition, Applicant has added claims 21-23 to state that the claimed switch is an InfiniBand switch in compliance with an InfiniBand Architecture Specification. In view of the amendment to claims and the format of new claims, Applicant respectfully submits that the claims comply with the requirements of Section 112, second paragraph and are suitably definite. Applicant therefore requests that the rejection under Section 112, second paragraph, be withdrawn.

Claims 10 and 12-15 are rejected under 35 U.S.C. § 102(a) as being anticipated by United States Patent Application Publication No. 2003/0033427 A1 to Brahmaroutu. Applicant has reviewed the rejection and the cited reference and has amended independent claim 10 to clarify the claims and obviate the rejection. In particular, Applicant has amended claim 10 to indicate the forwarding instructions create paths appropriate to make the network operate as a strictly non-interfering network. No new matter is added by this amendment, and adequate disclosure can be found in FIG. 4 and on at least page 11, lines 9-17 of the Specification.

Applicant respectfully submits that Brahmaroutu does not disclose that the forwarding instructions create paths appropriate to make the network operate as a strictly non-interfering network. Brahmaroutu is directed to a mechanism to program forwarding tables for switches in a subnet of a switched fabric including at least a lost system, a

target system and switches each having one or more ports interconnected via links for multipathing. Such a mechanism may be installed in a host system to determine all possible links between all ports on the subnet during topology discovery; create an all port connectivity table which records all port-to-port connectivity information and create an all switch shortest paths table which records all the shortest paths between every switch pair on the subnet. Applicants review Brahmaroutu reveals that there is not description of a strictly non-interfering network. Brahmaroutu is focused on creating shortest paths through the network. In fact, Brahmaroutu acknowledges that the networks may be interfering. See Paragraphs 60-63.

In addition, Applicants note that paragraph [0022] of Brahmaroutu does not disclose that the network is a strictly non-interfering network or that the forwarding instructions create paths for a strictly non-interfering network. Brahmaroutu states in that paragraph that a large number of systems can communication with a large number of remote systems over the channels by allowing work queue pairs at source and destination end nodes to communicate with one another. In addition, this paragraph describes acknowledged channels that provide reliable transmission of messages, that separate channels for separate control flow and data flow may be desired and that any number of end nodes switches and link may be used for relaying data in groups of packets between the end stations and the switches. None of these statements made in Brahmaroutu disclose the intricacies and all the paths of a strictly non-interfering network as required by the claims. Moreover, paragraph [0022] does not disclose how the forwarding instructions would create the required strictly non-interfering network.

In view of the foregoing, Applicant respectfully submits that Brahmaroutu does not disclose that the forwarding table includes paths for a strictly non-interfering network as required by independent claim 10. Applicant therefore submits that claim 10 is not anticipated by the cited reference. As claims 12-15 depend on claim 10, Applicant respectfully submits that these dependent claims are not anticipated by Brahmaroutu for the same reasons. Applicant requests that the rejection under Section 102(a) be withdrawn.

Claims 1-9, 11 and 16-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Brahmaroutu in view of United States Patent Application Publication

No. 2003/0118013 A1 to Steele et al. Applicants have amended independent claims 1 and 17 to include the same limitation as added to claim 10 and that state the network is a strictly non-infringing network and that the forwarding instruction create paths so that the network operates as the strictly non-infringing network. Applicants have cancelled claims 6 and 18. Applicant's arguments with respect to the distinctions between the claim 10 and Brahmaroutu are recited above and repeated here. Applicants respectfully submit that Steele does not provide any additional information regarding strictly non-interfering networks and forwarding instructions that create paths appropriate to make the network operate as a strictly non-interfering network. Applicants note that no reference was made to Steele in the rejections to claims 6 and 16, and the citation to paragraph [0022] of Brahmaroutu are discussed above.

In view of the foregoing, Applicant respectfully submits that the combination of Brahmaroutu and Steele does not disclose, teach or otherwise suggest that the forwarding table includes paths for a strictly non-interfering network or that the network operates a strictly non-interfering network as required by independent claims 1 and 17. Applicant therefore submits that claims 1 and 17 are patentable over the cited references. As claims 2-9 depend on claim 1, claims 11 and 16 depend on claim 10 and claims 19-20 depend on claim 17, Applicant respectfully submits that these dependent claims are patentable Brahmaroutu and Steele for the same reasons. Applicant requests that the rejection under Section 103(a) be withdrawn.

As the Applicant has overcome all substantive rejections and objections given by the Examiner and have complied with all requests properly presented by the Examiner, the Applicant contends that this Amendment, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, the Applicant respectfully solicits allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

Serial No. 10/722,048  
Stewart  
Case No. IS01456MCG

Please charge any fees associated herewith, including extension of time fees, to  
**50-2117.**

Respectfully submitted,  
Stewart, Mark Andrew Whittaker

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